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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/537,232	05/31/2005	Tomiharu Okita	05677/0202806-US0	6388
7278 7590 09/03/2008 DARBY & DARBY P.C. P.O. BOX 770 Church Street Station New York, NY 10008-0770				
EXAMINER				
KIRKSEY, DONTÉ R				
ART UNIT		PAPER NUMBER		
3726				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/537,232

Applicant(s)

OKITA ET AL.

Examiner

DONTÉ KIRKSEY

Art Unit

3726

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 June 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-2 and 4 are rejected under 35 U.S.C. 102(b) as being anticipated by Griffin (USP 6,447,071).

With respect to new amended claim 1, fig 1 of Griffin teaches a method of manufacturing a full face vehicle wheel including:

providing a wheel rim (14) with one opening brim (see top edge of 48) thereof formed to be a flange portion (54) while the other opening brim (see top edge of 50) to be a peripheral joining end (see outer edge of 52); and

providing a wheel disk (12) with the periphery (see outer edge of 24) thereof formed to be a flange portion (24) for supporting a tire bead sidewise (the tire bead resides in bead seat 26; see col2, lines 49-52), with said peripheral joining end (see outer edge of 24) welded (at 70, see Griffin, Col 1, Lines 45-46) to the back surface (see Griffin, Col 1, Lines 61-65 and Figs 1-2) of said wheel disk (12)

providing the back surface (see Griffin, Col 1, Lines 61-65 and Figs 1-2) of the wheel disk (12) in advance with an annular joining groove (36) to;

providing the peripheral joining end (at the margin of; around the edge of, see outer edge of 14) of the wheel rim (14) in advance with an inside slope end surface (64);

seating and positioning said peripheral joining end on the bottom surface of the annular joining groove (36, Figs 3-5);

forming a welding heat confining annular region (38, see welding, Griffin, Col 1, Lines 45-46) **surrounded by** (see welding, Col 1, Lines 61-63) the inside groove wall (42) of the annular joining groove (36, Figs 3-5), **the bottom surface of the annular joining groove** (see welding, Col 1, Lines 61-63) and the inside slope end-peripheral surface **of the peripheral joining** end; welding (see welding, Col 1, Lines 61-63) the annular joining groove **(36 and Col 1, lines 45-46)** to **an edge** of the peripheral joining end so that the wheel disk (12) and the wheel rim (14) are joined.

With respect to claim 2, fig 2 of Griffin teaches the inside slope end surface (64) formed at the peripheral joining end of the wheel rim (14) has a slope angle (see Griffin, claim 2) within a range greater than about three degrees and not greater than about 60 degrees relative to the bottom surface (40) of the annular joining groove (36).

With respect to new amended claim 4, fig 1 of Griffin teaches a forming the outside groove wall (see outer wall 40 of 36) of the annular joining groove (36) to tilt outward by an angle (see Griffin, Claim 11) within a range greater than about 40 degrees and not greater than about 90 degrees (see Griffin, Claim 11) relative to the bottom surface (42) of the annular joining groove (36).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Griffin (USP 6,447,071) in view of Hasegawa (USP 5,417,476).

With respect to new amended claim 3, fig 1 of Griffin teaches forming the inside slope end surface (64) of the peripheral joining of the wheel rim (14).

Griffin does not teach bending the opening brim where said peripheral joining end is formed toward the inside of the wheel rim. Hasegawa teaches bending the opening brim (see Hasegawa 17, Fig 2, and Col 2, Lines 37-40). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Griffin reference by bending the opening brim as taught by Hasegawa where said peripheral joining end is formed toward the inside of the wheel rim for the purpose of forming the desired inside slope end surface of the peripheral joining end of the wheel.

Response to Arguments

5. Applicant's arguments filed 6-02-2008 have been fully considered but they are not persuasive.

Applicant argues Griffin does not disclose a welding heat confining annular region surrounded by the inside groove wall of the annular joining groove, the bottom surface of the annular joining groove and the inside slope peripheral surface of the peripheral joining end, as now recited in claim 1.

It is noted that Griffin teaches an annular welding heat confining region and forming a bond such as a weld between the outboard end of the wheel rim and the

inboard portion of the wheel disc to secure the wheel rim to the wheel disc (col 1, lines 60--64).

Applicant argues Griffin does not disclose welding the annular joining groove to an edge of the peripheral joining end, as now recited in claim 1.

Griffin discloses that the wheel rim can be welded to the wheel disc with an outside diameter weld or an inside diameter weld. Using the broadest reasonable interpretation of a wheel rim can be welded to the wheel disc with an outside diameter weld or an inside diameter weld, any component with a weld on the outside or the inside can be considered to have a weld between a joining end and the groove. Thus, Griffin anticipates claims 1 and 4 as amended, and the 35 U.S.C. 102(b) rejections have been maintained.

With respect to claim 3, It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Griffin reference by bending the opening brim as taught by Hasegawa where said peripheral joining end is formed toward the inside of the wheel rim for the purpose of forming the desired inside slope end surface of the peripheral joining end of the wheel.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Tanaka et al. (USP 6,869,149) teach a vehicle wheel and method of manufacturing same with heat welding.

Grassi et al. (USP 6,138,355) teach a vehicle wheel and method of manufacturing same with an annular portion, rim and welding.

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **DONTE KIRKSEY** whose telephone number is (571)270-3792. The examiner can normally be reached on 8 a.m. to 5 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bryant can be reached on 571-272-4526. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DRK
8-21-08

/DAVID P. BRYANT/
Supervisory Patent Examiner, Art Unit 3726